

**H.B. 843 Kentucky Commission on Services and Supports for Individuals
With Mental Illness, Alcohol and Other Drug Abuse Disorders, and Dual Diagnosis
January 28, 2002 Meeting Minutes
Division of Correctional Industries
Frankfort, Kentucky**

Commission Members Present: Representative Mary Lou Marzian, Commissioner Sam Serraglio, Commissioner Margaret Pennington, Dep. Secretary Larry Greathouse, Tara Parker, Secretary Marcia Morgan, Director Maureen Fitzgerald, William Heffron, Gary Dennis, Angela Wilkins.

Welcome: Co-Chair Representative Mary Lou Marzian called the meeting to order and made brief introductory remarks. She reported that the HB 843 Commission was mentioned by name in the Governor's recent address, and that new money was allocated to the areas of service addressed by the Commission. Commissioner Pennington reported the following allocations:

- \$6 million for crisis stabilization
- \$1.9 million to help get adults with severe and persistent mental illness out of state hospitals
- \$2 million for the hiring of early childhood development specialists within the comprehensive care centers, and
- \$200,000 each year for supported employment.

Rep. Marzian expressed thanks for the work and support dedicated to the HB 843 Commission. She thanked Sec. Morgan for working to push the HB 843 agenda in a time of limited resources.

2002 GENERAL ASSEMBLY REVIEW

ACTS relating to HB 843

HB 177: Rep. Marzian reviewed the proposed amendments to HB 177. Those amendments include removing the sunset clause, adding specified persons and specifying terms of membership, permitting establishment of workgroups, clarifying duties and including strategies to increase public awareness and reduce stigma associated with mental illness and substance abuse disorders. It also specifies that membership on regional planning councils shall include providers of services to adults, older adults, and children and include representation from public and private hospitals that provide mental health and substance abuse services. Rep. Marzian announced that it would be in Appropriation and Revenue at 10:00 a.m. on January 29th. She encouraged people to come out and show their support.

SB 39 and SB 2: Rep. Marzian explained that this is Senator Border and Senator Kelly's companion legislation with very similar language. They passed SB 2, which combines some KyASAP language with HB 843 language. She reported that there are still some things that need to be worked out with regard to the language.

Licensed Professional Counselors – HB 57: Dr. John Rigney reported to the Commission regarding this bill. This is a licensure bill for professional counselors. This bill addresses the recommendations in HB 843 in three ways: 1) upgrades approximately 500 certified individuals to licensure, 2) requires individuals who have not chosen to be credentialed will now become licensed, and 3) licensure will make Kentucky much more attractive to graduates in counseling programs. Kentucky graduates over 150 masters level counselors per year, and only a small percentage are becoming certified. Kentucky will be a much more desirable state in which to work, especially in the rural areas, if it offers licensure. This bill has been passed by the Health and Welfare Committee, and will go to the house floor within the next couple of days.

QMHP's & Duty to Warn – SB 90: Dr. Sheila Schuster reported to the Commission on SB 90. This bill establishes the marriage and family therapists and professional counselors as a Qualified Mental Health Professional (QMHP) and can perform evaluations under KRS 202A and 202B. It also clarifies that the Duty to Warn extends to all credentialed mental health providers and anyone in a counselor role. The bill is being heard in the Senate within the next couple of days.

Supported Employment HB 27/FN: Commissioner Serraglio reported that the Governor allocated \$200,000 per year for the next two years to the budget for supported employment. He reported that he was very pleased to have that line item in the budget and that they plan to make the most of the funds. The Association of Persons with Supported Employment is planning a rally on Feb. 14th to show gratitude to the Governor for his support.

KRS 202A/504: Rita Ruggles presented the Commission with a summary of the issues related to resolving the gap between civil commitment criteria and competency to stand trial criteria. Persons who are charged with felony offenses, and are found incompetent to stand trial, do not necessarily meet the criteria for involuntary commitment. Therefore, it creates a cycle of felony offenders being returned to the community. There are three separate drafts of this bill. Rep. Marzian stated a workgroup would look at the bill and resolve the issues before it is taken to the Legislature.

Advance MH Directives: Carolyn Kates-Glass updated the Commission members on advance directives. The workgroup that has been working on this bill will continue to meet and revise the current draft. Sheila Schuster reiterated that the group supports the idea of advance directives, and will continue to work on this issue. Rep. Marzian thanked Carolyn Kates-Glass for her work with this issue, and encouraged her to continue her efforts. The Commission members agreed that the current workgroup should continue to look at this issue.

GOVERNOR'S BUDGET REPORT

Cabinet for Health Services: Commissioner Pennington referred to a document entitled "Healthier Kentuckians," in the meeting packet. She reported an expansion item to

provide for more access to community based services for people with disabilities and for people who are elderly. Commissioner Pennington reported on the following programs:

- Supports for Community Living requested an expansion of approximately \$9 million over the next biennium to serve an additional 500 people on waiting lists. This cost will be “phase in” in nature, knowing that recipients will not have the same needs, and this may result in less expenditure.
- Supported employment requested \$200,000 each year for the next two years to support an estimated additional 125 people per year.
- Homecare for the Aging is an effort to address the needs of people over the age of 60, have a disability, and choose to live in the community. The amount of the request is \$3.6 million over the course of the biennium to serve an additional 1,300 people.
- Wrap Around Services for the Mentally Ill: This funding stream provides supports for those people who have been living in state psychiatric hospitals for longer than one year, and wish to return to the community. The estimated cost is \$33,000 per year per person.
- Crisis Stabilization Units has been an ongoing initiative since 1994 when legislation required each community mental health center to have a crisis stabilization unit for adults and children. The HB 843 Commission recommended the addition of ten (10) units to meet the goal of 28 units statewide. This request of \$2 million in FY 2003 and \$4 million in FY 2004 will complete the goal of crisis capacity for both adults and children in each region.

The total amount of new funding for behavioral health is \$10.3 million. This includes \$2 million for the Department for Public Health budget for behavioral health services for children identified with those needs. Commissioner Pennington distributed the education component of the KIDS NOW budget, and the capital construction budget as it pertains to MHMR. Secretary Morgan added that there is an additional \$1 million per year coming out of tobacco funds to support the early intervention system. She added that this budget would require vigilant management over the next few years in order to maximize the money available.

Summary Analysis: Larry Greathouse of the Justice Cabinet reported that they received a continuation of about \$3 million per fiscal year to cover about 790 inmates in prison, and about 500 people in the community on probation and parole who receive mental health services. There was also an expansion in monies for the Kentucky State Police to help with tests used in investigating crimes.

Tara Parker of the Cabinet for Families and Children reported that money for social services provided by the Cabinet would stay at the current level. She reported that there is a concern that different groups may rally against each other for money. The cabinet experienced a cut of about \$20 million that will affect contracted services, technology and transportation. Commissioner Pennington asked for clarification on where the budget cuts came from. Mrs. Parker did not know, but Secretary Morgan asked that she get clarification on that issue for the group.

William Heffron of the Department of Juvenile Justice reported that there is a continuation budget for the construction of detention centers. However, the opening of these centers will be postponed to save administrative costs.

Angela Wilkins of the Department of Education lost 12% of its operating budget in central office. She reported that dropout prevention was cut 20%, community education was cut 20%, the Family Resource and Youth Service Centers (FRYSC) were cut 16%. She clarified that this is a reallocation of funds, but is still a cause for concern in the Department.

Maureen Fitzgerald reported on the budget for the Public Protection and Regulation Cabinet, which is largely federally funded. She reported that their federal funding would not be cut, so that would make up for any state cuts that may occur in their budget.

Sam Serraglio did not have information on the Workforce Development Cabinet budget at this time.

Secretary Morgan commented that we should concentrate on the growth of programs, and should be positive about the budget situation.

UPDATES

Training and Recruitment of Staff: Dan Howard of the Kentucky Association of Regional Programs (KARP). One of the recommendations of the HB 843 Commission was to expand the state's capacity to acquire professionally trained manpower. He reported that areas in Kentucky have begun to develop plans to educate and retain professionals in all areas of Kentucky. Margaret added that she continues to be in conversation with the Council on Post Secondary Education. They suggested that members look at a model used by the Department of Education to "grow" teachers to be retained in the state. They are working to identify people in the university sector who would be willing to work with the Regional Planning Councils and the Comprehensive Care Centers to identify the need for mental health and substance abuse professionals in each region, the schools who provide the appropriate programs, and ways in which field positions can be provided for graduates.

Anti-Stigma Campaign: Bruce Scott of the Division of Mental Health reported that he had met with the leadership of KARP and decided to recruit people to form a committee to begin the Anti-Stigma Campaign. The first meeting will be Feb. 22, 2002. If anyone would like to be a part of this process, they should contact (BRUCE, WHO IS THIS??? I COULDN'T MAKE OUT THE NAME ON THE TAPE. SPEAK CLEARER NEXT TIME, WILL YOU? ☺)

Flexible Funding: Commissioner Pennington updated the group on items that don't involve budget action. There will be a meeting of that group tomorrow focusing on substance abuse prevention and the federal and state requirements associated with that issue. In terms of the mental health budget, there has been considerable work on the annual plan and budget process to make the mental health dollar more flexible.

NEXT STEPS

IMPACT Plus Program Referral: Secretary Morgan reported that IMPACT Plus was reviewed by the Program Review and Investigation Committee in November. The program is designed for children at risk of institutionalization. It was designed to be budget-neutral, but ended up costing much more than anticipated. In addition, it pointed out that there were children that are not able to access services except through this program. One of the recommendations was to refer the program to the HB 843 Commission to look at the whole continuum of services over the next two years, with emphasis on children with autism. Secretary Morgan is asking the Commission to reactivate the children's workgroup in order to provide the Commission with a plan to conduct the review. Chris Cecil should also contact Tricia Salyer at Medicaid Services to begin that process. It is anticipated that there will be changes within the program within the next thirty days. There was discussion regarding the fact that some IMPACT Plus children receive services that are educational in nature, but being paid for by a health care dollar.

Motion: A motion was made and seconded to approve the minutes from the last meeting.

With no further business, the meeting was adjourned.